

# EXHIBIT 10

## Kate White

---

**From:** Gonzalez, Ernest (USATXE) <Ernest.Gonzalez@usdoj.gov>  
**Sent:** Tuesday, February 21, 2023 8:01 PM  
**To:** Matthew Cyran  
**Cc:** Joe White; Kate White; Josh Welch; Kaufman, Anissa (USATXE) [Contractor]  
**Subject:** Re: U.S. v. Mercer-Erwin, et al.

Mr. Cyran,

We will work to provide you the requested items as soon as possible. Pursuant to our last call I have gone back and compared what was previously sent in discovery and what we have in our records. I have found some items that we will be sending overnight tomorrow. Most significant is a recording containing the post arrest statement of your client. I would also ask that you please provide me the names of all the attorneys who have represented your client so that we may avoid reviewing any communications with them as we continue to review the records that were found in the storage server located in Denton, Texas.

Thank you,  
Ernest Gonzalez  
AUSA  
Eastern District of Texas

[Get Outlook for iOS](#)

---

**From:** Matthew Cyran <matt@whiteandweddle.com>  
**Sent:** Tuesday, February 21, 2023 4:09:27 PM  
**To:** Gonzalez, Ernest (USATXE) <EGonzalez@usa.doj.gov>  
**Cc:** Joe White <joe@whiteandweddle.com>; Kate White <kate@whiteandweddle.com>; Josh Welch <josh@whiteandweddle.com>; Kaufman, Anissa (USATXE) [Contractor] <AKaufman@usa.doj.gov>  
**Subject:** [EXTERNAL] U.S. v. Mercer-Erwin, et al.

Mr. Gonzalez:

As we work through the discovery provided by the government, we are still unable to locate the following information:

1. A copy of the Search Warrant(s);
2. A copy of the Affidavit(s) for Search Warrant;
3. Any ROIs or other law enforcement reports associated with the search of Ms. Mercer-Erwin's business;
4. Any agent notes or recordings from the Rule 11 proffers provided by Ms. Mercer-Erwin; and
5. Any ROIs or other law enforcement reports memorializing the meetings between Ms. Mercer-Erwin and federal authorities in Plano, TX.

Can you please confer with the prosecution team as to where these materials are located or if they've been provided? If so, I'd appreciate some direction as to where these items can be located. If they've not yet been produced, please have someone forward them directly.

Finally, the last time we spoke on the phone you indicated that you were going to confirm whether or not the government's discovery production has been completed in this case. Please let me know whether or not there is additional discovery yet to come.

Thank you.

MATTHEW P. CYRAN  
WHITE & WEDDLE, P.C.  
630 N.E. 63rd Street  
Oklahoma City, OK 73105  
(405) 858-8899 (O)  
(405) 858-8844 (F)  
(918) 728-4929 (C)  
[www.whiteandweddle.com](http://www.whiteandweddle.com)

**Kate White**

---

**From:** Kaufman, Anissa (USATXE) [Contractor] <Anissa.Kaufman@usdoj.gov>  
**Sent:** Tuesday, February 21, 2023 6:48 PM  
**To:** Matthew Cyran  
**Cc:** Joe White; Kate White; Josh Welch  
**Subject:** FW: U.S. v. Mercer-Erwin, et al.  
**Attachments:** M-20-625-SM Search Warrant.pdf; OC07HR18BV0002-DP001-202302171610 (1).zip

**Anissa Kaufman, Paralegal IV**  
**FSA Contractor with the U.S. Attorney's Office**  
**101 E. Park Blvd., Ste. 500**  
**Plano, Texas 75074**  
**Anissa.Kaufman@usdoj.gov**

---

**From:** Marshall, Justin <Justin.Marshall@ice.dhs.gov>  
**Sent:** Tuesday, February 21, 2023 6:45 PM  
**To:** Kaufman, Anissa (USATXE) [Contractor] <AKaufman@usa.doj.gov>  
**Cc:** Gonzalez, Ernest (USATXE) <EGonzalez@usa.doj.gov>  
**Subject:** [EXTERNAL] RE: U.S. v. Mercer-Erwin, et al.

AGC SW and OKC Reports

---

**From:** Kaufman, Anissa (USATXE) [Contractor] <Anissa.Kaufman@usdoj.gov>  
**Sent:** Tuesday, February 21, 2023 4:24 PM  
**To:** Marshall, Justin <justin.marshall@ice.dhs.gov>  
**Subject:** FW: U.S. v. Mercer-Erwin, et al.

**CAUTION:** This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please use the Cofense Report Phishing button to report. If the button is not present, click [here](#) and follow instructions.

---

**Anissa Kaufman, Paralegal IV**  
**FSA Contractor with the U.S. Attorney's Office**  
**101 E. Park Blvd., Ste. 500**  
**Plano, Texas 75074**  
**Anissa.Kaufman@usdoj.gov**

---

**From:** Matthew Cyran <matt@whiteandweddle.com>  
**Sent:** Tuesday, February 21, 2023 4:09 PM  
**To:** Gonzalez, Ernest (USATXE) <EGonzalez@usa.doj.gov>  
**Cc:** Joe White <joe@whiteandweddle.com>; Kate White <kate@whiteandweddle.com>; Josh Welch

<[josh@whiteandweddle.com](mailto:josh@whiteandweddle.com)>; Kaufman, Anissa (USATXE) [Contractor] <[AKaufman@usa.doj.gov](mailto:AKaufman@usa.doj.gov)>

**Subject:** [EXTERNAL] U.S. v. Mercer-Erwin, et al.

Mr. Gonzalez:

As we work through the discovery provided by the government, we are still unable to locate the following information:

1. A copy of the Search Warrant(s);
2. A copy of the Affidavit(s) for Search Warrant;
3. Any ROIs or other law enforcement reports associated with the search of Ms. Mercer-Erwin's business;
4. Any agent notes or recordings from the Rule 11 proffers provided by Ms. Mercer-Erwin; and
5. Any ROIs or other law enforcement reports memorializing the meetings between Ms. Mercer-Erwin and federal authorities in Plano, TX.

Can you please confer with the prosecution team as to where these materials are located or if they've been provided? If so, I'd appreciate some direction as to where these items can be located. If they've not yet been produced, please have someone forward them directly.

Finally, the last time we spoke on the phone you indicated that you were going to confirm whether or not the government's discovery production has been completed in this case. Please let me know whether or not there is additional discovery yet to come.

Thank you.

MATTHEW P. CYRAN  
WHITE & WEDDLE, P.C.  
630 N.E. 63rd Street  
Oklahoma City, OK 73105  
(405) 858-8899 (O)  
(405) 858-8844 (F)  
(918) 728-4929 (C)  
[www.whiteandweddle.com](http://www.whiteandweddle.com)

**Kate White**

---

**From:** Kaufman, Anissa (USATXE) [Contractor] <Anissa.Kaufman@usdoj.gov>  
**Sent:** Tuesday, February 21, 2023 6:49 PM  
**To:** Matthew Cyran; Joe White; Kate White; Josh Welch  
**Subject:** FW: U.S. v. Mercer-Erwin, et al.  
**Attachments:** 2050 N FM 356 Onalaska, Polk County, Texas 77360 SW 420MJ958.pdf; 2058 N FM 356, Onalaska, Polk County, TX 77360 SW APP 420MJ958.pdf; cyrusone sw\_1.pdf; cyrusone sw app\_1.pdf

**Anissa Kaufman, Paralegal IV**  
**FSA Contractor with the U.S. Attorney's Office**  
**101 E. Park Blvd., Ste. 500**  
**Plano, Texas 75074**  
[Anissa.Kaufman@usdoj.gov](mailto:Anissa.Kaufman@usdoj.gov)

---

**From:** Marshall, Justin <Justin.Marshall@ice.dhs.gov>  
**Sent:** Tuesday, February 21, 2023 6:41 PM  
**To:** Kaufman, Anissa (USATXE) [Contractor] <AKaufman@usa.doj.gov>  
**Cc:** Gonzalez, Ernest (USATXE) <EGonzalez@usa.doj.gov>  
**Subject:** [EXTERNAL] RE: U.S. v. Mercer-Erwin, et al.

On Alaska and CyrusOne SWs attached .

---

**From:** Kaufman, Anissa (USATXE) [Contractor] <[Anissa.Kaufman@usdoj.gov](mailto:Anissa.Kaufman@usdoj.gov)>  
**Sent:** Tuesday, February 21, 2023 4:24 PM  
**To:** Marshall, Justin <[justin.marshall@ice.dhs.gov](mailto:justin.marshall@ice.dhs.gov)>  
**Subject:** FW: U.S. v. Mercer-Erwin, et al.

**CAUTION:** This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please use the Cofense Report Phishing button to report. If the button is not present, click [here](#) and follow instructions.

**Anissa Kaufman, Paralegal IV**  
**FSA Contractor with the U.S. Attorney's Office**  
**101 E. Park Blvd., Ste. 500**  
**Plano, Texas 75074**  
[Anissa.Kaufman@usdoj.gov](mailto:Anissa.Kaufman@usdoj.gov)

---

**From:** Matthew Cyran <[matt@whiteandweddle.com](mailto:matt@whiteandweddle.com)>  
**Sent:** Tuesday, February 21, 2023 4:09 PM  
**To:** Gonzalez, Ernest (USATXE) <[EGonzalez@usa.doj.gov](mailto:EGonzalez@usa.doj.gov)>

**Cc:** Joe White <[joe@whiteandweddle.com](mailto:joe@whiteandweddle.com)>; Kate White <[kate@whiteandweddle.com](mailto:kate@whiteandweddle.com)>; Josh Welch

<[josh@whiteandweddle.com](mailto:josh@whiteandweddle.com)>; Kaufman, Anissa (USATXE) [Contractor] <[AKaufman@usa.doj.gov](mailto:AKaufman@usa.doj.gov)>

**Subject:** [EXTERNAL] U.S. v. Mercer-Erwin, et al.

Mr. Gonzalez:

As we work through the discovery provided by the government, we are still unable to locate the following information:

1. A copy of the Search Warrant(s);
2. A copy of the Affidavit(s) for Search Warrant;
3. Any ROIs or other law enforcement reports associated with the search of Ms. Mercer-Erwin's business;
4. Any agent notes or recordings from the Rule 11 proffers provided by Ms. Mercer-Erwin; and
5. Any ROIs or other law enforcement reports memorializing the meetings between Ms. Mercer-Erwin and federal authorities in Plano, TX.

Can you please confer with the prosecution team as to where these materials are located or if they've been provided? If so, I'd appreciate some direction as to where these items can be located. If they've not yet been produced, please have someone forward them directly.

Finally, the last time we spoke on the phone you indicated that you were going to confirm whether or not the government's discovery production has been completed in this case. Please let me know whether or not there is additional discovery yet to come.

Thank you.

MATTHEW P. CYRAN  
WHITE & WEDDLE, P.C.  
630 N.E. 63rd Street  
Oklahoma City, OK 73105  
(405) 858-8899 (O)  
(405) 858-8844 (F)  
(918) 728-4929 (C)  
[www.whiteandweddle.com](http://www.whiteandweddle.com)

**Kate White**

---

**From:** Amber Walker  
**Sent:** Tuesday, March 21, 2023 10:17 AM  
**To:** Kaufman, Anissa (USATXE) [Contractor]  
**Cc:** Joe White; Kate White; Matthew Cyran; Josh Welch  
**Subject:** RE: USA v. Mercer / Flash Drive Received

Thank you, I appreciate it. As mentioned in my email below, please make sure to always include me in communications. Due to Mr. White's schedule, he does not always see emails until later in date.

Thank you,

**Amber Walker | Paralegal**  
**WHITE & WEDDLE, P.C.**  
630 N.E. 63<sup>rd</sup> Street | Oklahoma City, OK 73105  
P: 405.858.8899 | F: 405.858.8844  
[amber@whiteandweddle.com](mailto:amber@whiteandweddle.com)

**CONFIDENTIALITY NOTICE:** This e-mail and any attachments are intended only for the use of those to whom it is addressed and may contain information that is confidential and prohibited from further disclosure under law. If you have received this e-mail in error, its review, use, retention and/or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message and any attachments.

---

**From:** Kaufman, Anissa (USATXE) [Contractor] <[Anissa.Kaufman@usdoj.gov](mailto:Anissa.Kaufman@usdoj.gov)>  
**Sent:** Tuesday, March 21, 2023 9:45 AM  
**To:** Amber Walker <[amber@whiteandweddle.com](mailto:amber@whiteandweddle.com)>  
**Cc:** Joe White <[joe@whiteandweddle.com](mailto:joe@whiteandweddle.com)>; Kate White <[kate@whiteandweddle.com](mailto:kate@whiteandweddle.com)>; Matthew Cyran <[matt@whiteandweddle.com](mailto:matt@whiteandweddle.com)>; Josh Welch <[josh@whiteandweddle.com](mailto:josh@whiteandweddle.com)>  
**Subject:** RE: USA v. Mercer / Flash Drive Received

I will forward the email that was sent to Mr. White yesterday with the password.

**Anissa Kaufman, Paralegal IV**  
**FSA Contractor with the U.S. Attorney's Office**  
**101 E. Park Blvd., Ste. 500**  
**Plano, Texas 75074**  
**[Anissa.Kaufman@usdoj.gov](mailto:Anissa.Kaufman@usdoj.gov)**

---

**From:** Amber Walker <[amber@whiteandweddle.com](mailto:amber@whiteandweddle.com)>  
**Sent:** Tuesday, March 21, 2023 9:25 AM  
**To:** Kaufman, Anissa (USATXE) [Contractor] <[AKaufman@usa.doj.gov](mailto:AKaufman@usa.doj.gov)>  
**Cc:** Joe White <[joe@whiteandweddle.com](mailto:joe@whiteandweddle.com)>; Kate White <[kate@whiteandweddle.com](mailto:kate@whiteandweddle.com)>; Matthew Cyran <[matt@whiteandweddle.com](mailto:matt@whiteandweddle.com)>; Josh Welch <[josh@whiteandweddle.com](mailto:josh@whiteandweddle.com)>  
**Subject:** [EXTERNAL] USA v. Mercer / Flash Drive Received

Ms. Kaufman,

I received the flash drive sent by you via FedEx. It seems a password is needed to access. At your convenience, please provide me with the password. Once I have downloaded the documents, do I need to return the flash drive back to you? I apologize if this information has already been provided. In the future, please make sure to include me on all communications.

Thank you.,

**Amber Walker | Paralegal**  
**WHITE & WEDDLE, P.C.**  
630 N.E. 63<sup>rd</sup> Street | Oklahoma City, OK 73105  
P: 405.858.8899 | F: 405.858.8844  
[amber@whiteandweddle.com](mailto:amber@whiteandweddle.com)

**CONFIDENTIALITY NOTICE:** This e-mail and any attachments are intended only for the use of those to whom it is addressed and may contain information that is confidential and prohibited from further disclosure under law. If you have received this e-mail in error, its review, use, retention and/or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message and any attachments.